



IPW/1626

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket: LP-2002

Applicant : Dominique MICHEL

Serial No. : 10/520,362

Filed : 01/06/2005

For : PROCESS FOR THE PREPARATION OF
N-MONOSUBSTITUTED β -AMINO ALCOHOLS

TRANSMITTAL LETTER

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached hereto, please find:

- (1) An Art Statement with a reference list and copies of the cited references
- (2) A return receipt postcard

If any additional fees are due upon the filing of this paper, please charge Deposit
Account No. 06-1110. A duplicate of this Transmittal Letter is attached for such
purpose.

Respectfully submitted,

August 1, 2005

Date

Fisher, Christen & Sabol
Suite 1108
1725 K Street, N.W.
Washington, D.C. 20006
Tel.: 202 659-2000
Fax: 202 659-2015

Virgil H. Marsh

Virgil H. Marsh
Reg. No.: 23,083



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Docket: LP-2002

Applicant : Dominique MICHEL

Serial No. : 10/520,362

Filed : 01/06/2005

For : PROCESS FOR THE PREPARATION OF
N-MONOSUBSTITUTED β -AMINO ALCOHOLS

ART STATEMENT

Mail Stop Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a copy of Liu, H., et al., Chirality, 12, (2000), 26-29, that is discussed on page 1 of this application.

Enclosed is a copy of Deeter, J., et al., Tetrahedron Lett., 31, (1990), 7101-7104, that is discussed on page 1 of this application.

Enclosed is a copy of Mannich, C., et al., Chem. Ber., 55, (1922), 356-365, that is discussed on page 2 of this application.

Enclosed is a copy of Blicke et al., J. Am. Chem. Soc., 64, (1942), 451-454, that is discussed on pages 2 and 3 of this application.

Enclosed is a copy of Becker et al., Wiss. Z. Tech. Hochsch. Chem. Leuna-Merseburg, 11, (1969), 38-41, that is discussed on page 2 of this application.

A copy of the International Search Report for applicant's corresponding International (PCT) patent application is enclosed.

Enclosed is a copy of European Published Patent Application No. 0457559 (European '559). The International Search Report cited European '559 as being

technological background (Category A), cited all of European '559 as being relevant, and cited European '559 as being relevant to Claims 1 to 9 and 13 of applicant's corresponding International patent application. European '559 is discussed on pages 2 and 3 of this application.

Enclosed is a copy of European Published Patent Application No. 0650965 (European '965). The International Search Report cited European '965 as being technological background (Category A), cited all of European '965 as being relevant, and cited European '965 as being relevant to Claims 1 to 9 and 13 of applicant's corresponding International patent application. European '965 is discussed on pages 2 and 3 of this application.

Enclosed is a copy of U.S. Patent No. 5,362,866, that the International Search Report stated corresponds to European '965.

Enclosed is a copy of U.S. Patent No. 5,491,243, that the International Search Report stated corresponds to European '965.

Enclosed is a copy of European Published Patent Application No. 0046288 (European '288). The International Search Report cited European '288 as being technological background (Category A), cited page 9, line 18 to 27, and Example 1 of European '288 as being relevant, and cited European '288 as being relevant to Claim 1 of applicant's corresponding International patent application.

Enclosed is a copy of U.S. Patent No. 4,515,986, that the International Search Report stated corresponds to European '288.

Enclosed is a copy of Blicke, F. F., Organic Reactions, vol. I, (1942), pages 303-341, (Blicke). The International Search Report cited Blicke as being technological background (Category A), cited all of Blicke as being relevant, and

cited Blicke as relevant to Claim 1 of applicant's corresponding International patent application.

Enclosed is a copy of Kiyoshi Matsumoto, *Angewandte Chemie.*, vol. 94, no. 12, (1982), page 937, (Kiyoshi). The International Search Report cited Kiyoshi as being technological background (Category A), cited all of Kiyoshi as being relevant, and cited Kiyoshi as being relevant to Claim 1 of applicant's corresponding International patent application.

Enclosed is a copy of *Chemical Abstracts.*, vol. 56, no.1, (1962), abstract no. 363g, (CA. '363). The International Search Report cited C.A. 363 as being particularly relevant by itself (Category X), cited all of C.A. 363 as being relevant, and cited C.A. 363 as being relevant to Claim 9 of applicant's corresponding International patent application.

Enclosed is a copy of Denis, G.I., et al., *Izvest. Vysshikh Ucheb. Zavedenii, Khim. I Khim. Tekhnol.*, vol. 4, (1961), pages 426-428, (Denis et al.). The International Search Report cited Denis et al. as being particularly relevant by itself (Category X), cited all of Denis et al. as being relevant, and cited Denis et al. as being relevant to Claim 9 of applicant's corresponding International patent application.

Enclosed is a copy of *Chemical Abstracts*, vol. 52, no. 13, (1958), abstract no. 11067b, (C.A. '067). The International Search Report cited C.A. '067 as being particularly relevant by itself (Category X), cited all of C.A. '067 as being relevant, and cited C.A. '067 as being relevant to Claim 9 of applicant's corresponding International patent application.

Enclosed is a copy of Nobles, Lewis, W. et al., J. Am. Pharm. Assoc., Sci. Ed., vol. 67 (1958), pages 77-81, (Nobles et al.). The International Search Report cited Nobles et al. as being particularly relevant by itself (Category X), cited all of Nobles et al. as being relevant, and cited Nobles et al. as being relevant to Claim 9 of applicant's corresponding International patent application.

Enclosed is a copy of Chemical Abstracts, vol. 63, no. 8, (1965), abstract 9900g, (C.A. '900). The International Search Report cited C.A. '900 as being particularly relevant by itself (Category X), cited all of C.A. '900 as being relevant, and cited C.A. '900 as being relevant to Claim 9 of applicant's corresponding International patent application.

Enclosed is a copy of Landi-Vittory, R., et al., Farmaco (Pavia), vol. 18, no. 2, (1965), pages 109-118, (Landi-Vittory et al.). The International Search Report cited Landi-Vittory et al. as being particularly relevant by itself (Category X), cited all of Landi-Vittory et al. as being relevant, and cited Landi-Vittory et al. as being relevant to Claim 9 of applicant's corresponding International patent application.

Enclosed is a copy of Chemical Abstracts, vol. 67, no. 11, (1967), abstract no. 53946c, (C.A. '946). The International Search Report cited C.A. '946 as being particularly relevant by itself (Category X), cited all of C.A. '946 as being relevant, and cited C.A. '946 as being relevant to Claim 9 of applicant's corresponding International patent application.

Enclosed is a copy of Chemical Abstracts, vol. 101, no. 13, (1984), abstract no. 110812c, (C.A. '812). The International Search Report cited C.A. '812 as being particularly relevant by itself (Category X), cited all of C.A. '812 as being

relevant, and cited C.A. '812 as being relevant to Claim 9 of applicant's corresponding International patent application.

Enclosed is a copy of Saakyan, A.M., et al., Arm. Khim. Zh., vol. 37, no. 4, (1984), pages 261-265, (Saakyan et al.). The International Search Report cited Saakyan et al. as being particularly relevant by itself (Category X), cited all of Saakyan et al. as being relevant, and cited Saakyan et al. as being relevant to Claim 9 of applicant's corresponding International patent application.

Enclosed is a copy of Chemical Abstracts, vol. 95, no. 1, (1981), abstract no. 6707u, (C.A. '707). The International Search Report cited C.A. '707 as being particularly relevant by itself (Category X), cited all of C.A. '707 as being relevant, and cited C.A. '707 as being relevant to Claim 9 of applicant's corresponding International patent application.

Enclosed is a copy of Agarwal, S.K., et al., J. Indian Chem. Soc., vol. 57, no. 12, (1980), pages 1240-1241, (Agarwal et al.). The International Search Report cited Agarwal et al. as being particularly relevant by itself (Category X), cited all of Agarwal et al. as being relevant, and cited Agarwal et al. as being relevant to Claim 9 of applicant's corresponding International patent application.

Enclosed is a copy of Chemical Abstracts, vol. 70, no. 9, (1969), abstract no. 37630b, (C.A. '630). The International Search Report cited C.A. '630 as being particularly relevant by itself (Category X), cited all of C.A. '630 as being relevant, and cited C.A. '630 as being relevant to Claim 9 of applicant's corresponding International patent application.

Enclosed is a copy of Tilak, B.D., et al., Indian J. Chem., vol. 6. no. 8, (1968), pages 422-427, (Tilak et al.). The International Search Report cited Tilak et

al. as being particularly relevant by itself (Category X), cited all of Tilak et al. as being relevant, and cited Tilak et al. as being relevant to Claim 9 of applicant's corresponding International patent application.

Enclosed is a copy of Chemical Abstracts, vol., 102, no. 1, (1985), abstract no. 6087e, (C.A. '087). The International Search Report cited C.A. '087 as being particularly relevant by itself (Category X), cited all of C.A. '087 as being relevant, and cited C.A. '087 as being relevant to Claim 9 of applicant's corresponding International patent application.

Enclosed is a copy of Xu, Xiujuan, et al., Huaxue Xuebao, vol. 42, no. 7, (1984), pages 688-692, (Xu et al.). The International Search Report cited Xu et al. as being particularly relevant by itself (Category X), cited all of Xu et al. as being relevant, and cited Xu et al. as being relevant to Claim 9 of applicant's corresponding International patent application.

Enclosed is a copy of Chemical Abstracts, vol. 59, no. 2, (1963), abstract no. 1625b, (C.A. '625). The International Search Report cited C.A. '625 as being particularly relevant by itself (Category X), cited all of C.A. '625 as being relevant, and cited C.A. '625 as being relevant to Claim 9 of applicant's corresponding International patent application.

Enclosed is a copy of Saldabos, N., et al., Latvijas Psr Zinatnu Akad. Vestis, Kim. Ser., vol. 2, (1962), pages 309-310, (Saldabos et al.). The International Search Report cited Saldabos et al. as being particularly relevant by itself (Category X), cited all of Saldabos et al. as being relevant, and cited Saldabos et al. as being relevant to Claim 9 of applicant's corresponding International patent application.

Enclosed is a copy of Lewis, W., et al., Journal of the American Pharmaceutical Association, vol. 47, no. 2, (1958), pages 77-81, (Lewis et al.). The International Search Report cited Lewis et al. as being technological background (Category A), cited page 80, column 2, to page 81, column 2, of Lewis et al. as being relevant, and cited Lewis et al. as being relevant to Claim 9 of applicant's corresponding International patent application.

A list of the above-mentioned references is enclosed.

Respectfully submitted,

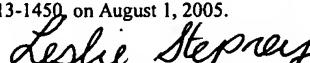
August 1, 2005

Date

Virgil H. Marsh

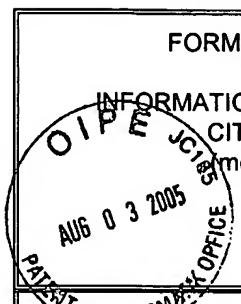
Virgil H. Marsh
Reg. No.: 23,083

Fisher, Christen & Sabol
1725 K St. NW
Suite 1108
Washington, DC 20006
Tel.: 202-659-2000
Fax: 202-659-2015

CERTIFICATE OF MAILING	
I hereby certify that this correspondence of is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 1, 2005.	
 Leslie Steppen FISHER, CHRISTEN & SABOL 1725 Street, N.W., Suite 1108 Washington, D.C. 20006	

FORM PTO-1449 INFORMATION DISCLOSURE CITATION (modified) <i>O I P E</i> AUG 03 2005 PATENT & TRADEMARK OFFICE GPO		Atty Docket: LP-2002		Serial No.: 10/520,362			
		Applicant: Dominique MICHEL					
		Filing Date: 01/06/2005		Group:			
U.S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Name	Class	Sub-Class	Filing Date
		5,362,866	11/8/1994	Berglund	549	75	
		5,491,243	2/13/1996	Berglund	549	75	
		4,515,986	5/7/1985	Berglund et al.	564	471	
FOREIGN PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Country	Class	Sub-Class	Translation Yes * No
		0457559		Europe			
		0650965		Europe			
		0046288		Europe			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)							
	Liu, H., et. al., Chirality, 12 (2000), 26-29						
	Deeter J., et al., Tetrahedron Lett., 31, (1990), 7101-7104						
	Mannich, C., et al., Chem. Ber., 55, (1922), 356-365						
	Blicke et al., J. Am. Chem. Soc., 64, (1942), 451-454						
	Becker et al., Wiss. Z. Tech. Hochsch. Chem. Leuna-Merseburg, 11, (1969), 38-41						
	Blicke, F.F., Organic Reactions, vol. I, (1942), pages 303-341						
	Kiyoshi Matsumoto, Angewandte Chemie., vol. 94, no. 12, (1982), page 937						
	Chemical Abstracts., vol. 56, no. 1, (1962), abstract no. 363g						
	Denis, G.I., et al., Izvest. Vysshikh Ucheb. Zavedenii, Khim. I Khim. Tekhnol., vol. 4, (1961), pages 426-428						
	Chemical Abstracts, vol. 52, no. 13, (1958), abstract no. 11067b						

Examiner:	Date Considered:
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	

FORM PTO-1449 		Atty Docket: LP-2002	Serial No.: 10/520,362																														
Applicant: Dominique MICHEL																																	
Filing Date: 01/06/2005		Group:																															
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 10%;"> </td><td>Nobles, Lewis, W. et al., J. Am. Pharm. Assoc., Sci. Ed., vol. 67, (1958), pages 77-81</td></tr> <tr><td> </td><td>Chemical Abstracts, vol. 63, no. 8, (1965), abstract 9900g</td></tr> <tr><td> </td><td>Landi-Vittory, R., et al., Farmaco (Pavia), vol. 18, no. 2, (1965), pages 109-118</td></tr> <tr><td> </td><td>Chemical Abstracts, vol. 67, no. 11, (1967), abstract no. 53946c</td></tr> <tr><td> </td><td>Chemical Abstracts, vol. 101, no. 13, (1984), abstract no. 110812c</td></tr> <tr><td> </td><td>Saakyan, A.M., et al., Ar. Khim. Zh., vol. 37, no. 4, (1984), pages 261-265</td></tr> <tr><td> </td><td>Chemical Abstracts, vol. 95, no. 1. (1981), abstract no. 6707u</td></tr> <tr><td> </td><td>Agarwal, S.K., et al., J. Indian Chem. Soc., vol. 57, no. 12, (1980), pages 1240-1241</td></tr> <tr><td> </td><td>Chemical Abstracts, vol. 70, no. 9, (1969), abstract no. 37630b</td></tr> <tr><td> </td><td>Tilak, B.D., et al., Indian J. Chem., vol. 6. no. 8, (1968), pages 422-427</td></tr> <tr><td> </td><td>Chemical Abstracts, vol. 102, no. 1, (1985), abstract no. 6087e,</td></tr> <tr><td> </td><td>Xu, Xiujuan, et al., Huaxue Xuebao, vol. 42, no. 7, (1984), pages 688-692</td></tr> <tr><td> </td><td>Chemical Abstracts, vol. 59, no. 2, (1963), abstract no. 1625b</td></tr> <tr><td> </td><td>Saldabos, N., et al., Latvijas Psr Zinatnu Akad. Vestis, Kim. Ser., vol. 2, (1962), pages 309-310</td></tr> <tr><td> </td><td>Lewis, W., et al., Journal of the American Pharmaceutical Association, vol. 47, no. 2, (1958), pages 77-81</td></tr> </table>					Nobles, Lewis, W. et al., J. Am. Pharm. Assoc., Sci. Ed., vol. 67, (1958), pages 77-81		Chemical Abstracts, vol. 63, no. 8, (1965), abstract 9900g		Landi-Vittory, R., et al., Farmaco (Pavia), vol. 18, no. 2, (1965), pages 109-118		Chemical Abstracts, vol. 67, no. 11, (1967), abstract no. 53946c		Chemical Abstracts, vol. 101, no. 13, (1984), abstract no. 110812c		Saakyan, A.M., et al., Ar. Khim. Zh., vol. 37, no. 4, (1984), pages 261-265		Chemical Abstracts, vol. 95, no. 1. (1981), abstract no. 6707u		Agarwal, S.K., et al., J. Indian Chem. Soc., vol. 57, no. 12, (1980), pages 1240-1241		Chemical Abstracts, vol. 70, no. 9, (1969), abstract no. 37630b		Tilak, B.D., et al., Indian J. Chem., vol. 6. no. 8, (1968), pages 422-427		Chemical Abstracts, vol. 102, no. 1, (1985), abstract no. 6087e,		Xu, Xiujuan, et al., Huaxue Xuebao, vol. 42, no. 7, (1984), pages 688-692		Chemical Abstracts, vol. 59, no. 2, (1963), abstract no. 1625b		Saldabos, N., et al., Latvijas Psr Zinatnu Akad. Vestis, Kim. Ser., vol. 2, (1962), pages 309-310		Lewis, W., et al., Journal of the American Pharmaceutical Association, vol. 47, no. 2, (1958), pages 77-81
	Nobles, Lewis, W. et al., J. Am. Pharm. Assoc., Sci. Ed., vol. 67, (1958), pages 77-81																																
	Chemical Abstracts, vol. 63, no. 8, (1965), abstract 9900g																																
	Landi-Vittory, R., et al., Farmaco (Pavia), vol. 18, no. 2, (1965), pages 109-118																																
	Chemical Abstracts, vol. 67, no. 11, (1967), abstract no. 53946c																																
	Chemical Abstracts, vol. 101, no. 13, (1984), abstract no. 110812c																																
	Saakyan, A.M., et al., Ar. Khim. Zh., vol. 37, no. 4, (1984), pages 261-265																																
	Chemical Abstracts, vol. 95, no. 1. (1981), abstract no. 6707u																																
	Agarwal, S.K., et al., J. Indian Chem. Soc., vol. 57, no. 12, (1980), pages 1240-1241																																
	Chemical Abstracts, vol. 70, no. 9, (1969), abstract no. 37630b																																
	Tilak, B.D., et al., Indian J. Chem., vol. 6. no. 8, (1968), pages 422-427																																
	Chemical Abstracts, vol. 102, no. 1, (1985), abstract no. 6087e,																																
	Xu, Xiujuan, et al., Huaxue Xuebao, vol. 42, no. 7, (1984), pages 688-692																																
	Chemical Abstracts, vol. 59, no. 2, (1963), abstract no. 1625b																																
	Saldabos, N., et al., Latvijas Psr Zinatnu Akad. Vestis, Kim. Ser., vol. 2, (1962), pages 309-310																																
	Lewis, W., et al., Journal of the American Pharmaceutical Association, vol. 47, no. 2, (1958), pages 77-81																																

Examiner:	Date Considered:
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	